

DEPARTMENT OF LABOR**Employment and Training
Administration****DEPARTMENT OF EDUCATION****Office of Vocational and Adult
Education****School-to-Work Opportunities Act;
State Implementation Grants**

AGENCIES: Department of Labor and Department of Education.

ACTION: Notice of proposed selection criteria and a proposed definition of administrative costs for School-to-Work Opportunities State Implementation Grants to be made in fiscal year 1995 and succeeding years.

SUMMARY: The Departments of Labor and Education jointly propose selection criteria to be used in evaluating applications submitted under the School-to-Work Opportunities State Implementation Grant (State Implementation Grants) competition in fiscal year (FY) 1995 and succeeding years, authorized under section 212 of the School-to-Work Opportunities Act of 1994 (the Act). State Implementation Grants will enable States to implement their plans for offering young Americans access to programs designed to prepare them for a first job in high-skill, high-wage careers and for further education and training. The Departments also propose a definition for administrative costs that would apply to State Implementation Grants funded under the Act.

DATES: Comments must be received on or before April 10, 1995.

ADDRESSES: Comments should be addressed to Janet Moore, National School-to-Work Office, 400 Virginia Avenue, S.W., Suite 210, Washington, D.C. 20024.

FOR FURTHER INFORMATION CONTACT: Janet Moore, National School-to-Work Office (202) 401-3822 (this is not a toll-free number). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION:**Background**

The Departments of Labor and Education intend to reserve funds appropriated for FY 1995 under the School-to-Work Opportunities Act of 1994 (the Act) (Pub. L. 103-239) for a competition for State Implementation Grants authorized under section 212 of

the Act. The Departments propose a definition of administrative costs and selection criteria that will be used in evaluating applications submitted in response to the FY 1995 State Implementation Grant competition. States are advised that applications for State Implementation Grants must meet all of the requirements in the Act. In addition to applying the proposed selection criteria during the review of applications, the Departments will evaluate applications utilizing the considerations and approval criteria in section 214 of the Act. The Departments intend to apply the Department of Labor regulations pertaining to enforcement and administrative requirements for grants in 29 CFR parts 33, 93, 95, 96, 97, 98 to this State Implementation Grant competition.

Proposed Definition and Selection Criteria

The Departments propose to apply the definition of administrative costs and the selection criteria in this notice to the FY 1995 competition for State Implementation Grants. Unless modified, the definition and selection criteria will be used for future State Implementation Grants in succeeding fiscal years. The Departments solicit comments on the proposed definition and selection criteria, and will announce the final definition and selection criteria in a notice in the **Federal Register** after taking into account the responses to this notice and other considerations of the Departments.

Note: This notice of proposed selection criteria does not solicit applications. A notice inviting applications for School-to-Work Opportunities State Implementation Grants will be published in the **Federal Register** concurrent with or immediately following publication of the notice of final selection criteria.

Definition

All definitions in the Act apply to School-to-Work Opportunities systems funded under this and future State Implementation Grant competitions. The Act does not contain a definition of "administrative costs" as used in section 217 of the Act. The Departments propose that the following definition be applied to this and future competitions for State Implementation Grants:

The term "administrative costs" means the activities of a State or local partnership that are necessary for the proper and efficient performance of its duties under the School-to-Work Opportunities Act and that are not directly related to the provision of services to participants or otherwise allocable to the program's allowable

activities listed in section 214(b) (4) and (5) and section 215(c) of the Act. Administrative costs may be both personnel and non-personnel, and direct and indirect. Costs of administration shall include, but not be limited, to:

A. Costs of salaries, wages, and related costs of the grantee's staff engaged in:

- Overall system management, system coordination, and general administrative functions;
 - Preparing program plans, budgets, and schedules, as well as applicable amendments to them;
 - Monitoring of local initiatives, pilot projects, subrecipients, and related systems and processes;
 - Procurement activities, including the award of specific subgrants, contracts, and purchase orders;
 - Providing State or local officials and the general public with information about the initiative (public relations);
 - Developing systems and procedures, including management information systems, for assuring compliance with the requirements under the Act;
 - Preparing reports and other documents related to the Act;
 - Coordinating the resolution of audit findings;
 - Evaluating system results against stated objectives;
 - Performing administrative services;
- B. Costs for goods and services required for administration of the system;

C. Costs of system-wide management functions; and

D. Travel costs incurred for official business in carrying out grant management or administrative activities.

Selection Criteria**Selection Criterion 1: Comprehensive Statewide System**

Points: 35.

Considerations: In applying this criterion, reviewers will consider:

A. *20 points.* The extent to which the State has designed a comprehensive statewide School-to-Work Opportunities plan that—

- Includes effective strategies for integrating school-based and work-based learning, integrating academic and vocational education, and establishing linkages between secondary and postsecondary education;
- Is likely to produce systemic change in the way youth are educated and prepared for work and for further education, across all geographic areas of the State, including urban and rural

areas, within a reasonable period of time.

- Includes strategic plans for effectively aligning other statewide priorities, such as education reform, economic development, and workforce development into a comprehensive system that includes the School-to-Work Opportunities system and supports its implementation at all levels—State, regional and local;

- Ensures all students will have a range of options, including options for higher education, additional training and employment in high-skill, high-wage jobs; and

- Ensures coordination and integration with existing local education and training programs and resources, including those School-to-Work Opportunities systems established through local partnership grants and Urban/Rural Opportunities grants funded under Title III of the School-to-Work Opportunities Act, and related Federal, State, and local programs.

B. *15 points.* The extent to which the State plan demonstrates the State's capability to achieve the statutory requirements and to effectively put in place the system components in Title I of the School-to-Work Opportunities Act, including—

- The work-based learning component that includes the statutory mandatory activities and that contributes to the transformation of workplaces into active learning components of the education system through an array of learning experiences, such as mentoring, job-shadowing, unpaid work experiences, school-based enterprises, and paid work experiences;

- The school-based learning component that will provide students with high level academic skills consistent with academic standards that the State establishes for all students, including, where applicable, standards established under the Goals 2000: Educate America Act;

- A connecting activities component to provide a functional link between students' school and work activities and employers and educators; and

- A plan for an effective process for assessing students' skills and issuing portable skill certificates that are benchmarked to high quality standards such as those the State establishes under the Goals 2000: Educate America Act, and for periodically assessing and collecting information on student outcomes, as well as a realistic strategy and timetable for implementing the process.

Selection Criterion 2: Commitment of Employers and Other Interested Parties

Points: 15.

Considerations: In applying this criterion, reviewers will consider:

- The extent to which the State has obtained the active involvement of employers and other interested parties critical to the success of the School-to-Work Opportunities system, such as the parties listed in section 213(d)(5) of the Act, as well as State legislators.

- Whether the State plan demonstrates an effective and convincing strategy for continuing the commitment of employers and other interested parties in the statewide system, such as the parties listed in section 213(d)(5) of the Act, as well as State legislators.

- The extent to which the State plan proposes to include private sector representatives as joint partners with educators in the oversight and governance of the overall School-to-Work Opportunities system.

- The extent to which the State has developed strategies to provide a range of opportunities for employers to participate in the design and implementation of the School-to-Work Opportunities system, including membership on councils and partnerships; assistance in setting standards, designing curricula and determining outcomes; providing worksite experience for teachers; helping to recruit other employers; and providing worksite learning activities for students, such as mentoring, job shadowing, unpaid work experiences, and paid work experiences.

Criterion 3: Participation of All Students

Points: 15.

Considerations: In applying this criterion, reviewers will consider:

- The extent to which the State will implement effective strategies and systems to ensure that all students have meaningful opportunities to participate in School-to-Work Opportunities programs.

- Whether the plan identifies potential barriers to the participation of any students, and the degree to which the plan proposes effective ways of overcoming these barriers.

- The degree to which the State has developed realistic goals and methods for assisting young women to participate in School-to-Work Opportunities programs leading to employment in high-performance, high-paying jobs, including nontraditional jobs.

- The feasibility and effectiveness of the State's strategy for serving students from rural communities with low population densities.

- The State's methods for ensuring safe and healthy work environments for students.

Note: Experience with the FY 1994 School-to-Work Opportunities State Implementation grant applications has shown that many applicants do not give adequate attention to designing programs that will serve school dropouts and programs that will serve students with disabilities. Therefore, the Departments would like to remind applicants that reviewers will consider whether an application includes strategies to specifically identify the barriers to participation of dropouts and students with disabilities and proposes specific methods for effectively overcoming such barriers and for integrating academic and vocational learning, integrating work-based learning and school-based learning, and linking secondary and postsecondary education for dropouts and students with disabilities. Applicants are reminded that JTPA Title II funds may be used to design and provide services to students who meet the appropriate JTPA eligibility criteria.

Selection Criteria 4: Stimulating and Supporting Local School-to-Work Opportunities Systems

Points: 15.

Considerations: In applying this criterion, reviewers will consider:

- The extent to which the State assists local entities to form and sustain effective local partnerships serving communities in all parts of the State.

- Whether the plan includes an effective strategy for addressing the specific labor market needs of localities that will be implementing School-to-Work systems.

- The effectiveness of the State's strategy for building the capacity of local partnerships to design and implement local School-to-Work Opportunities systems that meet the requirements of the School-to-Work Opportunities Act.

- The extent to which the State will provide a variety of assistance to local partnerships, as well as the effectiveness of the strategies proposed for providing this assistance, including such services as: developing model curricula and innovative instructional methodologies, expanding and improving career and academic counseling services, and assistance in the use of technology-based instructional techniques.

- The ability of the State to provide constructive assistance to local partnerships in identifying critical and emerging industries and occupational clusters.

Selection Criterion 5: Resources

Points: 10.

Considerations: In applying this criterion, reviewers will consider:

- The amount and variety of other Federal, State, and local resources the State will commit to implementing its School-to-Work Opportunities plan, as well as the specific use of these funds, including funds for JTPA Summer and Year-Round Youth programs and Perkins Act programs.

- The feasibility and effectiveness of the State's long-term strategy for using other resources, including private sector resources, to maintain the statewide system when Federal resources under the School-to-Work Opportunities Act are no longer available.

- The extent to which the State is able to limit administrative costs in order to maximize the funds spent on the delivery of services to students, as required in section 214(b)(3) of the Act, while ensuring the efficient administration of the School-to-Work Opportunities system.

Criterion 6: Management Plan

Points: 10.

Considerations: In applying this criterion, reviewers will consider:

- The adequacy of the management structure that the State purposes for the School-to-Work Opportunities system.

- The extent to which the State's management plan anticipates barriers to implementation and proposes effective methods for addressing barriers as they arise.

- Whether the plan includes feasible measurable goals for the School-to-Work-Opportunities system, based on performance outcomes established under section 402 of the Act, and an effective method for collecting information relevant to the State's progress in meeting its goals.

- Whether the plan includes a regulatory scheduled process for improving or redesigning the School-to-Work Opportunities implementation system based on performance outcomes as established under section 402 of the Act.

- Whether the plan includes a feasible workplan for the School-to-Work Opportunities system that includes major planned objectives over a five-year period.

Additional Priority Points

As required by section 214 of the Act, the Departments will give priority to applications that show the highest level of concurrence among State partners with the State plan, and to applications that require paid, high quality work-based learning experiences as an integral part of the School-to-Work Opportunities system by assigning additional points—above the 100 points described in the criteria—as follows:

1. Highest Levels of Concurrence—5 Points

Up to 5 points will be awarded to applications that can—

- Fully demonstrate that each of the State partners listed in section 213(b)(4) concurs with the State School-to-work Opportunities plan, and that the State partners' concurrence is backed by a commitment of time and resources to implement the plan.

2. Paid, High-Quality Work-Based Learning—10 Points

Up to 10 points will be awarded to applications that demonstrate that the State—

- Has developed effective plans for requiring, to the maximum extent feasible, paid, high-quality work experience as an integral part of the State's School-to-Work Opportunities system, and for offering the paid, high-quality work experiences to the largest number of participating students as is feasible; and
- Has established methods for ensuring consistently high quality work-based learning experiences across the State.

Invitation to Comment: Interested persons are invited to submit comments on the proposed selection criteria and the proposed definition of administrative costs contained in this notice. Interested persons are also invited to comment on the Departments' proposal that States be required to submit their applications for new State Implementation Grant awards within 30 days of the publication of a notice of final selection criteria. The Departments recognize that for the FY 1994 State Implementation Grant competition they provided applicants with 60 days in which to submit their applications following the publication of the notice of final selection criteria and priorities.

However, the selection criteria proposed for the FY 1995 State Implementation Grant competition are very similar to those that applied to the FY 1994 competition and the States have been actively engaged in the planning of their School-to-work Opportunities systems with State Development Grant funds since initial development grants were awarded in early 1994. Accordingly, and in the interest of designing an application submission and review process that enables the Departments to make FY 1995 awards in as timely a fashion as possible, the Departments propose to provide States with 30 days in which to submit their applications for new FY 1995 State Implementation Grants.

Finally, under section 213(a)(2) of the Act, where a Governor has been unable,

in accordance with section 213(d)(4) of the Act, to obtain support for the State plan from all of the individuals and entities listed in 213(b)(4) (A) through (J), the Governor must provide those non-concurring individuals and entities with a copy of the State's final application and provide those individuals and entities with 30 days in which to submit their comments on that application. Under section 213(a)(2)(C) of the Act, the governor must include any such comments in the State's application. In order to adhere to these statutory requirements while providing the same application submission deadlines and ensuring timely application reviews for all States, the Departments propose that a State submit its final application simultaneously to the Departments and to any of the individuals and entities listed in section 213(b)(4) (A) through (J) who must be given an opportunity to comment under section 213(a)(2). Any comments received as a result of this opportunity will be provided to the Departments immediately upon receipt of those comments by the State, but no later than 30 days after the request for comments is made by the Governor under section 213(a)(2)(B). Once all such comments have been received, applications will be considered to be complete.

All comments submitted in response to this notice will be available for public inspection, during and after the comment period, in the National School-to-Work Office, 400 Virginia Avenue SW., Suit 210, Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week, except Federal holidays.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 29 CFR Part 17. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Departments' specific plans and actions for this program.

Applicable Regulations: 29 CFR parts 33, 93, 95, 96, 97, 98.

Dated: March 7, 1995.

Doug Ross,

*Assistant Secretary for Employment and
Training, Department of Labor.*

Augusta Kappner,

*Assistant Secretary for Vocational and Adult
Education, Department of Education.*

[FR Doc. 95-5922 Filed 3-9-95; 8:45 am]

BILLING CODE 4510-30-M